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SUMMARY RECORD OF THE 17th MEETING

Held at the Palais des Nations, Geneva,
on Tuesday, 27 March 2001, at 9 p.m.

Chairperson:	Ms. FILIP (Vice-Chairperson)	(Romania)
later:	Mr. DESPOUY (Chairperson)	(Argentina)

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In the absence of Mr. Despouy (Argentina), Ms. Filip (Romania), Vice-Chairperson, took the Chair

The meeting was called to order at 9 p.m.

THE RIGHT TO DEVELOPMENT (agenda item 7) (continued) (E/CN.4/2001/24-26)

1. Ms. SHAHIDA JAMIL (Pakistan) said that States had committed themselves, in the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States, to cooperating in the promotion of economic growth throughout the world and, in the Millennium Declaration, to making the right to development a reality for all. The Working Group on the Right to Development had begun to devise practical ways to put those commitments into practice but it should not be used to redefine or to challenge what had already been clearly defined in the Declaration on the Right to Development.

2. The obstacles to the realization of the right to development had to be assessed at both the national and the international levels. The duty to promote the right to development could not be assumed exclusively at the national level, as globalization had eroded the ability of developing countries to shape their own economic, social and cultural policies, and the difficulties they faced were compounded by an inequitable international economic system. Far from offering them possibilities to leapfrog several stages of development, the new global economy imposed constraints on them that magnified the inequity of the international financial and economic architecture.

3. The agenda for realizing the right to development should therefore be geared towards policy options that would remove the systemic obstacles at the international level, including by: promoting the effective participation of all countries in international economic decision-making; making international developmental and economic institutions more accountable; identifying the obstacles to technology transfer; ensuring that international commitments on official development assistance (ODA) were fulfilled; improving developing countries' access to the world market; addressing the excessive debt burden of those countries; and providing concessional finance for development.

4. The conclusions presented by the Chairperson of the Working Group were a first step towards formulating such an agenda from a rights-based perspective. The deepening dialogue between Governments and the international financial institutions was a particularly encouraging sign but further clarification was needed of the concept of a "development compact". The mandates of both the Working Group and the independent expert should be extended.

5. Mr. JANSONS (Latvia), having endorsed the statement by the observer for Sweden on behalf of the European Union, said that the right to development was a universally accepted concept, but there was as yet no international agreement on its precise definition. The work done by the Working Group to date showed that a comprehensible conceptual framework was needed to translate the right to development into a clear policy; it was to be hoped that future sessions of the Working Group would result in a broad consensus.

6. The State had primary responsibility for creating the conditions favourable to the realization of the right to development, which must be centred on the human being. Those conditions included democracy and good governance, the participation of citizens at all stages of decision-making, and freedom of expression, association and political participation. He therefore welcomed the adoption by the Executive Committee of the United Nations Development Group (UNDG) of the guidelines for a common country assessment and the efforts to integrate human rights into the United Nations Development Assistance Framework (UNDAF). He also noted that United Nations agencies and institutions were committed to helping developing countries and countries with economies in transition to accelerate their development. The work of the United Nations Industrial Development Organization (UNIDO) was particularly useful in bringing together all the various actors involved in industrial development.

7. He hoped that future discussions on the right to development would focus not only on assistance to States without the resources to guarantee the human rights of their own citizens but also on the relationship between individual and collective rights.

8. Mr. SFEIR-YOUNIS (World Bank) said that the Bank had demonstrated its willingness to address the complexities of the right to development. In the interests of conceptual rigour, his delegation had raised a number of critical issues at the sessions of the Working Group. The right to development was a process whereby a society assigned rights and obligations relating to productive assets; it required country ownership, transparency and inclusion and must be linked to wealth creation if it was to have any meaning.

9. Given that full implementation was practically impossible in the many countries that lacked resources, it was only realistic to emphasize trade-offs, affordability, universality and the need to involve the private sector in the debate. There should be a stronger link with the Committee on Economic, Social and Cultural Rights. The right to development must be seen as a new paradigm based on a new set of human values; it could be implemented only by following stricter standards in economic and social policies and it would require new and congruent governance structures, while the criteria for monitoring progress might challenge the compensation criteria at the heart of welfare economics.

10. With regard to the issues raised in the report of the Chairperson of the Working Group, further progress would have to be based on political consensus. He agreed with what the report had to say on gender equality, poverty and corruption, but further debate was needed on the development compact. It was important to acknowledge explicitly that macroeconomic management mattered. The debate on the right to development had to be seen in the context of the Millennium Declaration and should be linked to the debate taking place in the Administrative Committee on Coordination (ACC). Finally, the need for a new value system in which human values played a fundamental role should not be treated as of marginal significance.

11. Mr. AL-NIMA (Observer for Iraq) said that the right to development was recognized as an inalienable human right in the Declaration on the Right to Development but the problems facing the developing countries were becoming more complex. While the developed countries were enjoying sustained economic growth, the developing countries had seen their growth slump

and poverty and unemployment rise. The development capacity of some of them had been further undermined by the imposition of unilateral economic sanctions, with or without the backing of the Security Council.

12. Two decades of progress in health, education and social services in his country had been reversed by the imposition of sanctions in 1990 and the daily attacks by the armed forces of the United States of America and the United Kingdom had destroyed its infrastructure. Iraq's economy was suffering, unemployment was rising, disease was spreading and school rolls were falling as a result of the sanctions, which had killed over one and a half million Iraqis. Despite their impact on the lives of ordinary people, sanctions continued to be imposed on developing countries in violation of human rights norms. The Commission on Human Rights should strongly condemn the use of sanctions and call for the embargo on Iraq to be lifted.

13. Mr. EMADI (Observer for the Islamic Republic of Iran) said that, although the Vienna Declaration and Programme of Action reaffirmed that the right to development was a universal and inalienable right, attempts had been made to deny its very existence. The right to development was an issue that should bring the developed and the developing countries closer together but experience at the recent session of the Working Group had not been encouraging. The Working Group's slow progress was due to the lack of political will on the part of certain countries.

14. There were four areas in which action needed to be taken to overcome the major obstacles to the implementation of the Declaration on the Right to Development. First, economic, social and cultural rights, including the right to development, had to be treated on an equal footing with civil and political rights. Secondly, the current rules and regulations governing international trade needed to be overhauled: in particular, States and international organizations needed to study carefully the extraterritorial effects of their policies on human rights, including the right to development. Thirdly, globalization needed to be properly managed: although it had brought growth in trade and created economic opportunities, it had also led to the further marginalization of developing countries. Fourthly, States and international organizations needed to understand that, without the right to development, no real progress could be achieved.

15. There was a need for international solidarity and cooperation if agreed development commitments were to be fulfilled; the Declaration and the relevant international treaties should therefore be widely disseminated with a view to enhancing people's awareness of their rights.

16. Mr. SELIM-LABIB (Observer for Egypt), having endorsed the statement by the representative of Kenya on behalf of the African Group, said that the recent session of the Working Group was the first, long overdue, attempt to give effect to the Declaration on the Right to Development. Unfortunately, it had been marred by attempts to downplay some parts of the Declaration. The Declaration was part of the body of human rights standards built up over the years and any attempts to dilute it were totally unacceptable.

17. The Working Group had decided to ask the independent expert to clarify further the concept of a development compact and to prepare a preliminary study on the impact of economic policies on human rights. Those were basic steps in the right direction and he urged the

Commission to endorse the Working Group's conclusions. He called on the Office of the High Commissioner for Human Rights (OHCHR) to provide technical support so that the independent expert could carry out his task properly; support that had hitherto been lacking. Many delegations had talked of the duty of cooperation in relation to civil and political rights but there was also such a duty in relation to economic, social and cultural rights, including the right to development. If the Commission chose to ignore that duty, it would be using double standards in the way it dealt with fundamental issues. The Commission had before it a historic opportunity to give substance to the right to development. The logical step-by-step approach adopted by the developing countries should lead to positive dialogue and compromise.

18. Ms. BALLIVIÁN DE ROMERO (Observer for Bolivia) said that, since its return to democracy in 1982, Bolivia had signed most of the international human rights instruments and applied the recommendations of the specialized agencies of the United Nations and other international bodies. It had joined the World Trade Organization (WTO) and implemented a demanding structural adjustment programme, opened its internal market and privatized the major State-run sectors of its economy. It had an exemplary record as a country that had managed to get its macroeconomic indicators right and service its foreign debt. It had also waged one of the most successful campaigns against drug-trafficking.

19. Nevertheless, Bolivia was still one of the poorest countries in Latin America; it was in the grip of a deep economic recession, unemployment and poverty were widespread and its infrastructure was in ruins. The Government was doing its best to combat extreme poverty but the country was further away than ever from achieving economic, social and cultural development. Clearly, Bolivia had kept its part of the bargain, but someone else had not done so. Signing international treaties was not enough: the noble objective of realizing the right to development was out of reach for a landlocked country like Bolivia, with its crushing debt burden, worsening terms of trade and the obstacles faced by its exporters, especially when it was denied access to technology by the selfishness of the developed countries.

20. Human rights were violated by poverty, want and despair and by the accompanying violence and injustice. Without the fundamental right to life - the right to food, health, housing and education - the right to development was an empty slogan. A State could not guarantee the rights for which it was responsible unless the international community guaranteed the right to development, the right to free access to markets and technology and the right for each country to determine its own development policies. The right to development was basically a collective right and a shared responsibility.

21. She fully supported the statement made on behalf of the Group of Latin American and Caribbean States; the Working Group should continue to meet, the independent expert's mandate should be extended and an institutionalized monitoring mechanism should be set up.

22. Mr. BARREIRO (Observer for Paraguay), having endorsed the statement made by Mexico on behalf of the Group of Latin American and Caribbean States, said that the Universal Declaration of Human Rights marked the beginning of a process of recognition and protection of human rights that had culminated in the adoption of the Declaration on the Right to Development. The Vienna Declaration and Programme of Action had reaffirmed that the right

to development was a fundamental, universal and inalienable human right. The primary responsibility for realizing the right to development lay with the States, but effective cooperation between States was vital if the objective was to be achieved. A rights-based approach to development required that the developed countries and the rest of the international community should set aside selfish national interests in order to fulfil the duties arising from that cooperation.

23. The process of development covered all human rights and those rights could be fully realized only if national and international policies were designed to make the necessary production, technological and financial resources available. The international community, by providing investment, technology and market access, could help the developing countries achieve their ambition of eradicating poverty. Paraguay, whose agricultural sector was of vital importance, found it very difficult to export its agricultural products because of quotas, high tariff barriers and export subsidies and because, as a landlocked country, it had high costs of transport.

24. He concluded by citing a speech by the President of the European Commission, Mr. Romano Prodi, in which the latter had called the gap between the rich and the poor "an affront to decency and a threat to world stability" and had stated that the social and economic development of the South was vital to the stability and prosperity of the rich countries.

25. Mr. Despouy (Argentina) took the Chair.

26. Mr. KRISAFI (Observer for Albania) said that the responsibility for realizing the right to development lay primarily with the individual State but efficient international cooperation was also needed. His Government was deeply committed to making the right to development a reality and had made significant progress in many areas. Albania had a functional democracy and a free press, its economy was in good shape, public order was being restored, the fight against corruption and smuggling was producing results and the country's modern legislation had created a favourable climate for investment. The Government had made special institutional arrangements to cooperate with international organizations, donors, the private sector and civil society in order to carry out development programmes.

27. Mr. OYARCE (Observer for Chile), having endorsed the statement by the spokesman of the Group of Latin American and Caribbean States, said that, despite the many claims to the contrary, there was no contradiction between the full application of human rights and the right to development. All those rights were part of the virtuous circle that led to equality and freedom and should be the basis on which Governments and the markets sought to allow human beings to reach their full potential.

28. Despite the recognition of the right to development as a universal and inalienable right, there was disagreement as to how it should be put into practice. A collective effort was needed to bring together all the strands of national responsibilities, fair economic relations, a favourable economic environment and international cooperation in a harmonious whole.

29. The idea of a development compact proposed by the independent expert to the Working Group was an interesting one, but it would be necessary to take into account the particular circumstances of each country that wished to enter into such a compact. There were many internal and external factors that affected each country's ability to reach the ultimate objective of economic development.

30. Attention should be paid to the ways in which the Working Group could contribute to the work of the Committee on Economic, Social and Cultural Rights. The Working Group should continue its work and the mandate of the independent expert should be renewed to take the debate a stage further. For instance, a matrix of country-level programmes linked to the idea of a compact could be drawn up and the relative importance of education, health and food in those programmes could be defined. The areas that were obstacles to the implementation of the right to development could also be defined. A non-confrontational discussion on countries' experience of taking a rights-based approach to development would also be valuable.

31. It was to be hoped that the specialized agencies and financial institutions would continue to submit their ideas to the Working Group. The input of the World Bank was particularly useful, given the need to find an interface between the political system and the financial one. The Commission should adopt a resolution on the right to development that would allow the practical aspects of its realization to be explored.

32. Mr. AL-ATTAR (Observer for Yemen) said that the report on the two sessions of the Working Group contained many constructive ideas. It also showed that, while donor countries had problems of their own, the economic and social problems faced by the developing countries and, especially, the least developed countries (LDCs) were far more serious. ODA had fallen from 0.33 per cent of gross national product (GNP) in 1991 to 0.25 per cent in 1996, and the list of LDCs was getting longer rather than shorter.

33. With the assistance of the United Nations Development Programme (UNDP) and non-governmental organizations (NGOs), his Government had set up a development programme and had received assistance from friendly countries, but the number of poor people in Yemen continued to grow. Many developing countries found it difficult to avoid the negative effects of structural reform because of their debt burden, population growth and the conditions imposed for membership of the WTO. The developed countries could help, for instance by reducing developing countries' debt, but the developing countries could also help themselves, by ensuring greater transparency and combating corruption. He hoped that the forthcoming Third United Nations Conference on the Least Developed Countries would produce tangible results rather than just more fine words.

34. Mr. MARAFI (Observer for Kuwait) said that development must focus on human beings and the right to development was an inalienable right to which everyone was entitled. It was necessary to create the economic, social and cultural conditions at the national and international levels that would guarantee the realization of that right. It was also necessary to eliminate the obstacles to development, especially those that were a threat to peace and security. His Government had taken steps to improve the living standards of its people and to enhance the observance of all human rights, including the rights to education, decent housing, food and health.

35. Kuwait put its belief in the right to development into practice: it had set up the Kuwait Fund for Economic Development in 1961 and was among the principal aid-donating countries, as reflected in the report of the Secretary-General (E/CN.4/2001/24). That document failed, however, to reflect his Government's view on sanctions: in its reply to the note verbale sent by OHCHR, his Government had made it clear that international sanctions imposed on a State that had violated international law did not jeopardize the right to development, provided that they were in keeping with the Charter of the United Nations and international law. Despite the problems it had experienced since the beginning of the 1990s, Kuwait would continue to take all necessary measures to give effect to the right to development.

36. Mr. MEJÍA SOLÍS (Observer for Nicaragua), having associated his delegation with the statement by the spokesman of the Group of Latin American and Caribbean States, said that according to the Declaration on the Right to Development, the right to development was an inalienable human right by virtue of which every human person and all peoples were entitled to participate in, contribute to, and enjoy economic, social, cultural and political development. All States had a duty to promote and protect that right, both at home and in other places where it was not a priority.

37. Nicaragua had, throughout its history, been hard hit by terrible disasters but it continued to pursue the clear objective of sustainable development within a fair and equitable system in order to ensure a better life for present and future generations. The country was going through an exceptional period of change in which progress in human rights was a prerequisite for ensuring governability and the rule of law and democracy, and it was facing one of its toughest battles yet: servicing its external debt. On a per capita basis, Nicaragua was the most heavily indebted country on the American continent and it had applied for debt forgiveness under the Heavily Indebted Poor Countries initiative.

38. At the same time, with the support of various international organizations, his Government had taken steps to improve social programmes and increase investment in sanitation and water-treatment projects and had redirected resources to primary education and health. An important element of its strategy for alleviating poverty was to improve the safety net for the most vulnerable members of the population, but the centrepiece of the strategy was job creation through economic growth based on an investment-friendly climate.

39. It was proving very difficult to harness such powerful forces as the technological revolution, liberalization and globalization and use them to achieve peace and development for all. Economic inequalities had grown in recent years and everything seemed to indicate that the poor would continue to be poor and the principles of the right to development would be largely forgotten. Such inequalities were perhaps the clearest sign that market growth alone could not ensure the fair distribution of economic benefits, which could be achieved only by taking joint action specifically for that purpose.

40. Mr. CHATTY (Observer for Tunisia) said that the Working Group had highlighted the divergence of views on the right to development and on how it could be put into practice. An all-round effort was needed to identify the points on which there was agreement and to isolate the problems so as to improve the chances of reaching a result acceptable to all countries.

Too much speculation on the nature and implementation of the right to development might give the impression that the international community was paying little heed to the poverty afflicting so many people at a time when the gap between rich and poor was widening rather than narrowing.

41. Although many of the conditions for the implementation of the right to development were the responsibility of the developing countries, it was unquestionably the collective responsibility of the international community to turn the right into a reality by adopting a strategy that addressed the problems related to international trade, the transfer of technology, financial issues, the digital divide and good governance. Such a strategy should take account not only of countries' economic interdependence but also of the international solidarity needed to ensure the security, stability and prosperity of what had become a "global village".

42. In that spirit of solidarity, the President of Tunisia had proposed at the Millennium Summit that developed and developing countries should enter into a development compact and that the developing countries' debt should be recycled into development or environmental projects. Tunisia's proposal for a world solidarity fund for poverty eradication, which was based on the belief that human rights could be realized only by guaranteeing the right of human beings to live in dignity, had been favourably received by the General Assembly.

43. His Government's policy of putting the human person at the centre of development had enabled it to raise the living standards of its citizens appreciably. It placed particular emphasis on creating a sense of solidarity between all parts of Tunisian society, creating a national solidarity fund and a national solidarity bank offering loans on advantageous conditions for small projects. A new system of microcredit and a national scheme to help young people find jobs had also been set up.

44. He supported the proposals for a 10-day session of the Working Group in 2002 and for the independent expert's mandate to be extended by a year in order to permit the international community to assume its moral and economic responsibility to promote and implement the right to development.

45. Mr. ANOSHKO (Observer for Belarus) said that the right to development was a key ingredient of other rights and should never be exploited for purely political purposes. A multipolar world demanded a flexible approach to development that took account of regional and national differences, thereby promoting the concept of "unity in diversity". It was clear, however, that the right to development should include the right to a healthy lifestyle, the opportunity to acquire knowledge, and the right of access to resources in order to guarantee an adequate standard of living.

46. Environmental degradation posed a threat to the most basic human right, namely, the right to life. Belarus was still coping with the consequences of the Chernobyl nuclear accident and, although his Government was grateful for the international support and solidarity it had received, it nevertheless noted with concern that foreign aid had declined in recent years. One quarter of the budget was spent on alleviating the after-effects of the disaster, a burden which inevitably placed a strain on the country's social and economic development. However, despite

the difficulties, the authorities had made every effort to satisfy the needs of the population and were willing to share with others the expertise they had gained in managing radioactive contamination.

47. The economic growth which Belarus had witnessed in recent years justified the Government's programme of gradual reform and its avoidance of economic "shock therapy". The recently adopted national strategy for sustainable development was designed as a tool for achieving social, political and economic stability in Belarus.

48. Mr. TESHOME (Observer for Ethiopia) said that the right to development could be realized only through national action, international solidarity and cooperation in every aspect of development. It must be implemented in an integrated way that took account of the correlation between development, democracy, human rights and the environment and that did not give one set of rights priority over others. Democracy, good governance and the full enjoyment of all human rights were prerequisites for development, which could be brought about only by taking action on the structural inequalities of the international trading system, the debt burden, protectionism, deteriorating terms of trade and declining aid flows.

49. While the international community had a duty to help developing countries overcome the immense challenges facing them, the developing countries' destiny was in the hands of their own citizens. It was only through sustained external support for development programmes spearheaded by the developing countries themselves that the latter could effectively put the principles of the right to development into practice. At the same time, a people's potential for development could not be fully realized without democracy, and human rights were meaningless in the face of poverty, hunger, illiteracy and disease. His Government's strategy therefore revolved around agricultural development-led industrialization and the development of human resources, with the goal of bringing the deprived and disadvantaged from the periphery to the centre of development.

50. It was important to create an enabling international environment and follow-up mechanism to monitor the realization of the right to development. The mandates of the Working Group and the independent expert should therefore be extended.

51. Mr. WAREHAM (International Association against Torture), speaking also on behalf of the December Twelfth Movement International Secretariat, said that the rights to development and to self-determination were closely connected, which might explain why the developed countries had mounted such a fierce resistance to recognition of the right to development. In its reply to the note verbale by OHCHR, the Government of Cuba had identified the cost of external debt-servicing and the unequal terms of trade as two of the main obstacles to development. The African strategy to redress its underdevelopment included its demand for compensation for the losses it had sustained as a result of slavery and colonialism.

52. Some delegations at the Working Group had noted that the imposition of sanctions was a major obstacle to the realization of the right to development. The United Kingdom had gone to great lengths to protect the descendants of its colonialists, and had even pressured the Commonwealth into imposing sanctions on Zimbabwe. The United States, meanwhile, was considering legislation to punish the Government of Zimbabwe for its land distribution

programme. The right to development could not be implemented until the industrialized countries desisted from placing obstacles in the way of the countries whose underdevelopment formed the basis of the industrialized countries' high level of development.

53. Mr. MIOT (International Federation of Rural Adult Catholic Movements (FIMARC)) said that the need to give the right to development the priority it deserved was at the heart of the debate on poverty. The movements he represented could bear out the affirmation in paragraph 4 (e) of Commission on Human Rights resolution 2000/5 that effective popular participation was an essential component of successful and lasting development. At the same time, as pointed out by UNDP in its Human Development Report 2000, real political will was needed if poverty was to be overcome. The international financial institutions and the WTO also had a role to play, but they needed to be reformed and to follow policies prescribed by States after consultations with civil society. Grass-roots and self-help schemes, such as one in Cameroon to combat poverty and environmental degradation by training small groups of farmers who could pass on their knowledge to others when they returned to their villages, were also vital, although they should not be used to mask the inaction of States.

54. The movements represented by FIMARC had long experience of fair-trade initiatives, which had been shown to be viable. Such initiatives had taken the form of extending microcredit, forming production and marketing cooperatives, and trading goods and services. Associations in Europe were striving to promote fairer trade by establishing sustainable relationships with organizations of producers in the South in order to encourage the reinvestment of profits in collective development programmes.

55. Mr. CHAPMAN (Minority Rights Group) said that some communities were doubly excluded from the development process by virtue of their ethnic, religious or linguistic origins and by the fact that they lived in poor countries. He drew attention, in that connection, to the plight of members of the Cambacuá community in Paraguay who had been forcibly dispossessed of lands farmed by their families for over 130 years after their ancestors had accompanied the Uruguayan leader José Artigas into exile in 1820. They had thus been deprived of the freedom to determine their own path to development and were forced to seek badly paid work in the capital. The Paraguayan State should return the land to the community or pay adequate compensation.

56. If minorities were to reap the benefits of development and contribute meaningfully to the national economy, they must be able to participate at all levels in development programmes. Discrimination and racism were both a cause and effect of poverty and vulnerability, and indigenous peoples and migrants were among those most affected by them. The importance of addressing those issues at the forthcoming World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance could not be overstated.

57. Mr. BEHURIA (Himalayan Research and Cultural Foundation) said that, as a result of the efforts of the High Commissioner for Human Rights, the main obstacles to the realization of the right to development had been identified and there was a growing emphasis on the adoption of a rights-based approach to development. It had also been recognized that poverty was both a

cause and a consequence of human rights violations and the Secretary-General's goal of halving extreme poverty by 2015 had been widely acclaimed. However, States in the underdeveloped regions had not yet accorded legal and constitutional recognition to the right to development.

58. It was necessary to examine the causes of the declining capacities of States to address the problems of poverty and underdevelopment: State resources were increasingly wasted on combating a rising tide of violence and insurgencies. Initiatives to improve the socio-economic situation in conflict-ridden societies such as the Indian State of Jammu and Kashmir must go hand in hand with initiatives to stop the violence.

59. In view of the growing interconnection between people and nations as a result of the communications revolution and globalization, increased international cooperation was needed to help stabilize the economic and political order and create an environment conducive to the realization of human rights. Increased foreign direct investment (FDI), ODA and debt relief were vital to allow the Governments of developing countries to combat poverty effectively and would go a long way towards laying the foundations for the realization of the right to development.

60. Mr. FREITAS (American Association of Jurists) said that the right to development was under attack from every angle by transnational corporations backed by the major Powers, with the acquiescence of most political leaders and international organizations. Economic development was not synonymous with human development: for example, although Brazil was cited as one of the world's top 10 economic powers, its health system was rated among the lowest third in the world and its record on poverty and illiteracy was mediocre.

61. Since sharing the fruits of economic development depended on political decisions, peasants and workers everywhere needed to organize their opposition to the neo-liberal economic model. In particular, they must fight against the negative effects of globalization and the imposition of the WTO rules on trade, the enforced liberalization of trade in agricultural products, the criminalization of social demands, the privatization of natural resources, and the policies of the International Monetary Fund (IMF) and the World Bank, which were designed to rob peasants of their land. They must campaign for the right to produce safe and healthy food and must defend biodiversity and peoples' food sovereignty. The crisis in development could be overcome by pursuing "grass-roots globalization", based on equality, solidarity and the rights of peoples rather than on neo-liberal economics.

62. Ms. KHOREY (World Federation of Trade Unions) said that the fundamental right to development was being usurped by the denial of basic freedoms in the very societies that most needed help in their social and economic development. For example, Pakistan was increasingly seen as a failed State after its most recent democratic interlude had come to an end, while India, which had gained independence at the same time, had adhered to democratic principles and was moving steadily along the path of social and economic development. While the people of Pakistan needed economic development, all their rulers gave them was poverty and higher indebtedness.

63. Another country suffering from misrule was Afghanistan, where the Taliban had deprived a proud land of the productive potential of its women and minorities, turned the country into the world's largest producer of opium and forced many of its people into refugee camps in Pakistan, which was currently paying the cost of its rulers' ambition for strategic depth. Only if people were free to choose their own rulers and decide on their own destiny could their right to development be guaranteed.

64. Ms. KABIR (European Union of Public Relations) wished to refer to the tragedy that had befallen Afghanistan, where human rights violations were so widespread that the right to development had no meaning. The country's economic, social and political infrastructure had been devastated by over two decades of war; Government offices barely functioned, unemployment was extremely high, and begging, suicide and prostitution were rising alarmingly. The Taliban were destroying the nation's cultural heritage and could not be expected to even consider issues such as the right to development. They were interested only in holding on to power and halting progress. The blame for that lay with those in Pakistan who encouraged the Taliban and the Jihadis without seeing that the latter had already begun to destroy their own country.

65. She stressed that the Taliban and Jihadis had nothing in common with the ordinary people of Afghanistan who, like people everywhere, needed peace, freedom and democracy. Unfortunately, international organizations had no effective plans to deal with the issues of democracy and women's rights in Afghanistan. She could not understand how the world could look on and do nothing while the Afghan Jihadis and Taliban committed brutal crimes in the name of religion and tradition. She called for international support for the Afghan women fighting for their own rights and the rights of all Afghans.

66. Mr. MANSOURI (World Federation of Democratic Youth), speaking also on behalf of the Europe-Third World Centre and in association with Vía Campesina, an organization representing peasants and small farmers, drew the Commission's attention to the consequences for the developing countries of the liberalization of agricultural markets. Special legislation was needed to protect peasants and small farmers, who were the rightful guardians of the environment. Those rights, including the right to use natural resources and the right to market their intellectual property rights, were universally recognized but widely violated. For example, the "green revolution" had taken from peasants the freedom to choose the crops they planted and the technology they used and the introduction of genetically modified organisms was a threat to their livelihood. Moreover, the IMF and World Bank could insist that Governments reduce agricultural subsidies as a condition for granting loans and sometimes had more of a say in land reform than the peasants themselves. In many countries, peasants were denied their right to a[illegible].

67. The WTO should surrender control of the Agreement on Agriculture, the international financial institutions should not force poor countries to follow strict liberalization policies, a universal declaration on peasants' rights should be drawn up, and the United Nations should be given the power to impose sanctions on States and companies that violated those rights.

68. Mr. ÖZDEN (Europe-Third World Centre) expressed great disappointment at the position taken up by the independent expert and several Government representatives at the sessions of the Working Group on the Right to Development. The independent expert had no mandate to define the concept of the right to development, but he had provided a definition that was erroneous in that he described it as a "process". Development was a process but the right to development was not. He had also stated that the Declaration on the Right to Development was not an international instrument, thereby strengthening the hands of those who wished to destroy the concept. The independent expert should explain what "added value" and a "development compact" meant in the context of the relations between rich and poor. Instead, with the support of the representatives of five countries, he had glossed over the question of means to concentrate on the question of methods. The Commission should nonetheless renew the mandate of the Working Group.

69. Mr. QUIGLEY (Franciscans International) said it was regrettable that the Working Group had been unable to submit a consensus-based report to the Commission, although its discussions had been stimulating. The basic human right to development was an essential part of human nature - every individual needed to develop emotionally and personally - and was enjoyed at every level of society. At each level, it was accompanied by responsibilities towards others, from families and neighbourhoods to regions and States and, at each level, there were also various obstacles, such as undernourishment, illiteracy or torture, that could frustrate development.

70. As a universal right shared by every person and every nation, the right to development could not be reduced to discussions about financial assistance and should not be confused with development projects. International agreements were not needed to grant what was an inherent right, but they could protect and promote it. He urged the Commission to recommend that the Working Group continue to explore all the wide-ranging facets of the right to development.

71. Ms. SHAIKH-GREENWOOD (Liberation) said that she wished to draw the Commission's attention to three parts of the world where the livelihood of millions of people depended on the distribution of water for agriculture and drinking. In Pakistan, Sindh province was facing its worst-ever water crisis because of unfair water distribution from the River Indus. The regional economy, which was heavily dependent on agriculture, had been hard hit, many towns were without drinking water and the situation was expected to get even worse in the coming months. The Punjabi-dominated Government had shamelessly ignored the 1991 Water Accord, and Punjab province had enjoyed bumper crops of wheat and cotton. Given the Pakistani Government's history of violating their province's right to development, Sindhis needed the help of United Nations human rights and environmental bodies to ensure that the 1991 Water Accord was properly implemented.

72. In Indian Punjab, the water situation was also critical. The region was reportedly getting only a quarter of the water from its own rivers, the rest being diverted to other regions of India. In Turkey, the building of the Illsu dam should not be allowed to destroy the habitat of the indigenous Kurdish people or to affect adversely the quantity and quality of water further downstream. The project said a good deal about political oppression and the lack of democracy in Turkey. Companies should be required, at very least, to make an assessment of the impact on human rights of any hydroelectric project.

73. Mr. MORA SECADE (Centro de Estudios Europeos) said that Governments were primarily responsible for realizing the right to development but that the international community also had a duty to create a favourable international climate. He approved the idea of adopting a rights-based approach to all United Nations activities, as long as it was applied fairly and did not undermine the sovereignty of the developing countries. It was unacceptable, however, for developed countries and international organizations to try to exploit that approach to force political and economic change on the developing countries.

74. He failed to see how any discussion on the right to development could ignore the problem of foreign debt, which was systematically plundering the developing countries' resources more than colonization ever had, or the problem of AIDS or the promised but long-delayed assistance to Central America in the wake of Hurricane Mitch.

75. It was paradoxical that the right to development was being discussed while the developed countries were moving further away than ever from the goal of devoting 0.7 per cent of their GNP to ODA, while the United States maintained its decades-long embargo on Cuba and while structural adjustment programmes were still being imposed that made it more difficult for developing countries to provide basic services to their people.

76. Although progress had been made in formally recognizing the right to development, it was clear that there was still a great lack of political will to take the measures necessary for its realization.

77. Mr. SAFI (International Islamic Federation of Student Organizations) said that the right to development, which was based on a holistic vision of economic, social and cultural rights and civil and political rights, was an important link between the Universal Declaration of Human Rights and the Vienna Declaration and Programme of Action. While the Commission on Human Rights had reiterated that the human person was the subject of development, an area usually neglected in the debate on the right to development was the effect on the human person of armed conflict and/or foreign occupation.

78. The need for international peace and security as a prerequisite for establishing a suitable international environment for the realization of the right to development had not received the attention it deserved. In conditions of peace and security, States could devote the maximum amount of resources to the pursuit of development. It would be totally unrealistic to expect occupying Powers to ensure that the people under their rule were able to realize their right to development; on the contrary those people faced arbitrary eviction, the demolition of their homes, the destruction of their environment and businesses and even the denial of the right to life. There was thus a need for international mechanisms to resolve conflicts without violence. States must be encouraged to take their disputes to the Security Council or the International Court of Justice. Otherwise, people under occupation would continue to be denied the fruits of development.

79. Mr. MUMTAZ KHAN (International Institute for Peace) said that less talk about the fruits of globalization and a more careful scrutiny of countries' infrastructure, policies and institutions could help alleviate poverty in the poorest regions of the world. The international

community must exert pressure on Governments that encouraged discriminatory practices and used undemocratic means to curb popular institutions. The denial of the right to development of the Kashmiri people under Pakistani or Indian occupation was rooted in such practices.

80. In Gilgit-Baltistan, in Pakistani-controlled Kashmir, the people had been completely deprived of their fundamental rights. The region had no representative institutions and was excluded from development programmes intended for Pakistan. Some 85 per cent of the population was illiterate, there were few schools (especially for girls), few doctors, few factories and not a single university for a population of about 2 million. The Government's plans to raise the Mangla dam to irrigate land in and supply electricity to the Punjab would displace a hundred thousand people. Moreover, the provincial government had never seen a penny of the royalties from that dam and opponents of the new scheme had been threatened. The international community must act to stop the exploitation of the region and to ensure that its people could exercise their right to development.

81. Ms. CARCANO (Women's International Democratic Federation) said that neo-liberal globalization had led to greater poverty, especially among women, in many countries. In Latin America, for example, almost half the people lived in poverty, while external debt reduced their Governments' freedom to manoeuvre and the IMF imposed austerity plans that forced them into even more debt. As a result, social problems such as drug addiction, prostitution and begging were getting worse.

82. Real development could be achieved only if the human person, not money, was at the centre of development and there was democracy, equal opportunities for all, and access to jobs, education and health care. All those requirements were met in Cuba, which had been able to improve living standards continuously despite over 40 years of an embargo imposed by the most powerful country in the world. In those circumstances, she could not understand how Cuba could be accused by some of violating human rights.

83. Mr. LABRADA ROSABAL (Centro de Estudios sobre la Juventud) said that young people in Cuba knew all about the technological advances that made the world seem smaller, but they also knew that there had never been such a wide gap between the rich and the poor. The neo-liberal policies of the rich countries had led not to development but to the globalization of poverty and the violation of State sovereignty. There could be no talk of development when one out of every three people in the world was living in poverty, life expectancy in developing countries was low and 30,000 children were dying needlessly every day.

84. Cuba had been able to achieve development for all its people in every area of life because of the people's unity and strength and young people's support for the revolutionary socialist process. Cuba also contributed to development elsewhere, training and sending doctors to the poorest parts of the world. It made 500 scholarships available annually to students from minorities in the United States who wished to study medicine. Its development had been held back, however, by the genocidal embargo imposed by the Government of the United States. Countries had a right to follow their own development models without interference.

85. Mr. MASOOD (International Human Rights Association of American Minorities) said that, in its resolution 54/175, the General Assembly had reaffirmed, the importance of the right to development for every human person and all people in all countries as an integral part of their fundamental human rights. Kashmiris had been denied their fundamental human rights by the Indian occupying forces which had brought the economy of Kashmir to a standstill. There was no major industry, unemployment was extremely high, the education system had been destroyed, people did not have a bare minimum to live on, and yet the right to development of the Kashmiris was not on the agenda of the international community. Kashmiris needed international support not only to end the occupier's brutal campaign of repression but also to revive their economy.

86. Mr. GONZALES (International Indian Treaty Council) said that the right to development of indigenous peoples included their right freely to determine the processes and forms of development that maintained their traditional relationships with the land and the ecosystems on which their survival depended. However, in Alaska, the survival and development of the Gwich'in Athabascan peoples was threatened by new Government policies to exploit the resources of the Arctic National Wildlife Refuge. Although article 1 of the Declaration on the Right to Development affirmed that the right to development implied the full realization of the right of peoples to self-determination, including the exercise of their inalienable right to full sovereignty over all their natural wealth and resources, indigenous peoples continued to suffer from development and resource appropriation carried out on their lands without their consent.

87. Another example was that of the Pimicikamak Cree people, who had been displaced to make way for a hydroelectric project in Manitoba, Canada, where there were new plans to divert more rivers and build more dams. The full social, cultural and environmental costs of that unsustainable form of electricity generation should be examined by the United States and Canadian Governments. He called on the independent expert to focus immediate attention on the critical situations faced by the Gwich'in Athabascan and Pimicikamak Cree peoples.

88. Non-sustainable energy production contaminated land and water and destroyed traditional food systems; as a result, indigenous peoples had some of the highest morbidity and mortality rates in the world. For them to be able to exercise fully their right to development, indigenous peoples must be formally involved in policy-making at both the national and international levels.

89. Mr. BARREIRO (Observer for Paraguay), speaking in exercise of the right of reply, said that the Paraguayan Constitution of 1992 clearly stated that all citizens enjoyed equal rights without any discrimination whatsoever. The descendants of the people who had accompanied General Artigas to Cambacuá in 1820 were Paraguayan by virtue of jus soli, and thus enjoyed the same rights as every other Paraguayan citizen. Any problems they might have concerning the land they had been living on were a matter for the Paraguayan courts, rather than the Commission on Human Rights, to deal with.

The meeting rose at 12.15 a.m.